

State of New Jersey  
Government Records Request  
Receipt

**Requestor Information**

Annita Lucchesi

MuckRock News MR 62890 411A Highland Ave  
Somerville, MA 02144

62890-40995925@requests.muckrock.com

Request Date: November 19, 2018

Maximum Authorized Cost: \$25.00

Email

Request Number: W139273

Request Status: Denied Closed

Ready Date:

**Custodian Contact Information**

Division of State Police

Records Custodian

PO Box 7068

SP Headquarters - Bldg 15 - River Road

West Trenton, NJ 08628

dsp@gw.njsp.org

609-882-2000 ext. 6584

By \_\_\_\_\_

**Status of Your Request**

Your request for government records (# W139273) from the Division of State Police has been reviewed and has been Denied Closed. Detailed information as to the availability of the documents you requested appear below and on following pages as necessary.

The cost and any balance due for this request is shown to the right. Any balance due must be paid in full prior to the release / mailing of the documents.

If you have any questions related to the disposition of this request please contact the Custodian of Records for the Division of State Police. The contact information is in the column to the right. Please reference your request number in any contact or correspondence.

**Cost Information**

Total Cost:	\$0.00
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Deposit:	\$0.00
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Total Amount Paid:	\$0.00
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Balance Due:	\$0.00
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**Document Detail**

Div	Doc #	Doc Name	Redaction Req	Pages	Legal Size	Electronic Media	Other Cost
SP	01	Data on all cases of: unsolved missing persons, homicides, suspicious deaths, and deaths in custody involving an Alaska Native/American Indian woman or girl victim within your jurisdiction(	N		N	N	
		Denial: 39.Improper and Overbroad ---					

## Government Records Request

## Receipt

Ms. Lucchesi,

The Division of State Police is in receipt of your OPRA request.

Your request is denied as it is overbroad and improper. The requestor must identify the records sought with specificity. The request may not be a broad, generic description of documents that requires the custodian to search the agency's files and 'analyze, compile and collate the requested information. *Bart v. Passaic County Public Housing Agency*, 406 N.J. Super. 445, 451 (App. Div. 2009). If a request does not name specifically identifiable records or is overly broad, a custodian may deny access pursuant to the well-established case law. See *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J. Super. 534 (App. Div. 2005); *Bent v. Twp. of Stafford Police Dept., Custodian of Records*, 381 N.J. Super. 30 (App. Div. 2005); *N.J. Builders Assn v. New Jersey Council on Affordable Housing*, 390 N.J. Super. 166 (App. Div. 2007); *Schuler v. Borough of Bloomsbury*, GRC Complaint No. 2007-151 (February 2009).

OPRA does not countenance [w]holesale requests for general information, *MAG*, supra, 375 N.J. Super. at 549 or open-ended demands for every document a public agency has on file. *Bent*, supra, 381 N.J. Super. at 37. Rather, OPRA requires a party requesting access to a public record to specifically describe the document sought, *Gannett New Jersey Partners, L.P. v. County of Middlesex*, 379 N.J. Super. 205, 212 (App. Div. 2005), so that the records may be readily and reasonably identified within the short time frame within which government custodians must respond. *Bent*, supra, 381 N.J. Super. at 36-37. As such, a proper request under OPRA must identify with reasonable clarity those documents that are desired, and a party cannot satisfy this requirement by simply requesting all of an agency's documents. *Ibid*.

While OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records 'readily accessible for inspection, copying, or examination. *MAG*, supra, 375 N.J. Super. at 546. OPRA does not countenance open-ended searches of an agency's files. *MAG*, supra, 375 N.J. Super. at 549. In other words, an OPRA request is invalid if it requires information to be analyzed, collated and compiled by the responding government entity. *Ibid*. The purpose of OPRA is to make identifiable government records 'readily accessible for inspection, copying, or examination rather than to require government officials to conduct research and create documents. *MAG*, supra, 375 N.J. Super. at 546. "Nothing in OPRA requires . . . that the custodian 'conduct research among its records . . . and correlate data from various government records in the custodian's possession.' . . . OPRA does not convert a custodian into a researcher". *Lagerkvist v. Office of the Governor*, 443 N.J. Super. 230, (App. Div. 2015).

For these reasons, I must deny your request.

DSFC David Robbins  
New Jersey State Police

Your request for government records (# W139273) is as follows:

## Government Records Request

## Receipt

To Whom It May Concern: Pursuant to the New Jersey Open Public Records Act, I hereby request the following records: Data on all cases of: unsolved missing persons, homicides, suspicious deaths, and deaths in custody involving an Alaska Native/American Indian woman or girl victim within your jurisdiction(s). For the purposes of this request, "Alaska Native/American Indian" is defined as any individual who was identified as a member of an Alaska Native or American Indian community or as having Alaska Native/American Indian heritage. "Woman or girl" includes all victims identified as females, as well as transgender women. If there are any Jane Does that have been identified as potentially Alaska Native or American Indian, please include them as well. We are requesting cases dating from 1900 to the present. This request is for basic information on cases as classified above. Such information may include but is not limited to victim name, location and date of disappearance/death, age of victim, status of case (solved or unsolved). The requested documents will be made available to the general public, and this request is not being made for commercial purposes. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not. Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 7 business days, as the statute requires. Sincerely, Annita Lucchesi

Upload documents directly:  
[https://www.muckrock.com/accounts/agency\\_login/new-jersey-state-police-839/mmiw-cases-62890/?uuid-login=4c807a57-355d-4e83-9980-6450d076009c#agency-reply](https://www.muckrock.com/accounts/agency_login/new-jersey-state-police-839/mmiw-cases-62890/?uuid-login=4c807a57-355d-4e83-9980-6450d076009c#agency-reply)